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Policy Brief

Deconstructing European appeasement of dictatorship in Turkey: Policy change is required urgently

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Abstract

The Turkish ruling elite, led by the Justice and Development Party (AKP) and its chief Recep Tayyip Erdogan, has been consolidating the most oppressive regime that Europe has witnessed since World War II. The consolidation has unfolded under the gaze of European governments and institutions. To make the case for a radical change in the policy stance, I locate the failure of the European elites to take a credible stance against rising authoritarianism within the corrosive nature of the neo-liberal world order. Then I highlight the gross violations that the Turkish regime has committed domestically and against its neighbours. Finally, I distil a number of policy implications that require urgent action on the part of European governments and institutions, indicating that the European governments and institutions are likely to act only if the European civil society act as a last line of defence in support of human rights, democracy and accountability in Europe and beyond.

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Introduction

The Turkish ruling elite, led by the Justice and Development Party (AKP) and its leader Recep Tayyip Erdogan, has been consolidating the most oppressive regime that Europe has witnessed since World War II. This tragedy has unfolded under the gaze of European governments and institutions. The latter's appeasement of the AKP regime or their perverse political and legal decisions so far has left the defenders of democracy and rule of law in Turkey defenceless. These policy/legal failures also carry the risk of making Europe a less safe and less secure place for European citizens due to inevitable spillover effects from Turkey.

In this brief, I will make the case for a radical change in the policy stance of European governments and institutions, including the European Court of Human Rights (ECHR). First, I will outline the malaise in neo-liberal democracy in Europe. Then will highlight some of the gross violations that the Turkish regime has committed domestically and against its neighbours, including EU member states. Then I will distil a number of policy implications that require urgent action on the part of European governments and institutions. I will conclude by indicating that the European governments and institutions are likely to act only as a result of a strong voice from European civil society in Europe.

Neo-liberal democracy is sick

The quality of liberal democracy has been declining in Europe and beyond since the end of the bi-polar world system and the adoption of the 'security state' concept after the 9/11 terror attack. The decline has been underpinned by two processes.

First, politics in capitalist countries has become hostage to the whims of the global business elite. The latter has been declared as 'wealth and employment' creators and the importance of issues such as power relations, market failures and political capture has been dismissed. As a result, European politics has degenerated into a game in which mainstream political parties have been outbidding each other to cater for the interests of the capital owners and those who benefit most from the pecking order at home and globally. This drive has led to a serious legitimacy deficit. Faced with declining legitimacy, the survival instinct of the ruling elites has led the latter to invest more heavily in strengthening the executive power, curtailing the scope for collective action, and demonising the social safety nets as drains on the public purse.

Secondly, governments in the capitalist core (Europe and the US) have reacted to the end of the bi-polar system with increasing disrespect for international law and for the international and regional institutions that have emerged after the World War II. The terrorist attack of 9/11 was a god-sent gift for accelerating the move away from a rule-based approach to international politics. Instead, we have witnessed an increase in the frequency and intensity of unilateral interventions, shady/illegal partnerships with armed groups, and turning a blind eye to violations of human rights and democracy in trade and business partners. As a result, unilateral interventions has created a high level of resentment in affected countries among their diaspora living in Europe. More importantly, the governments in advanced capitalist countries have become less accountable to their electorate, more arrogant towards ordinary citizens, and have coopted the media to stifle critical voices and present the economic/political straightjacket as the only game in town.

The two processes summarised above are the root cause of the rise in the attractiveness of illiberal/authoritarian political movements and parties in Europe and beyond. The latter benefitted from the crisis of the liberal democracy and made the case for an authoritarian/xenophobic polity citing the hypocrisy of the liberal political elites and their collusion with the global business elites.

We are now going through the second phase of decline in the quality of democracy as a meta-institution. In this stage, electoral democracy is becoming increasingly dysfunctional on two fronts. On the hand, mainstream politics is becoming increasingly unaccountable. On the other hand, the electoral returns on authoritarian politics are increasing.

Evidence supporting these trends is interpreted as the [end of democratic consolidation paradigm](#). In 2016, Foa and Munk report that, in many developed countries, support for liberal democracy has fallen while openness to illiberal authoritarian alternatives has risen. More worryingly, this trend towards *democratic deconsolidation* has been more pronounced among the young than the old. Supporters of authoritarian politics tend to agree with desirability of 'strong leaders' who do not have to bother with checks and balances and even elections. The overall implication is that democracy as a meta-institution and other institutional quality indicators such as rule of law, accountability, control of corruption, etc. are in decline globally.

A more worrying implication is that the positive association between institutional quality and economic growth that had been established in past research is becoming less evident when more recent data is used. This is particularly the case after the 2007-2009 financial crisis. Currently, both portfolio and long-term investors are happy to invest in authoritarian/corrupt countries as long as the regimes in these countries deliver on two fronts: (i) political stability understood as regime continuity; and (ii) enforcement of economic/financial/social policies that maximise returns on capital.

The record of a dictatorial regime at the gates of Europe

The Justice and Development Party (AKP) came to power in 2002 after a massive earthquake in 1999 and two deep economic crises in 1994 and 2001. These natural and man-made disasters had plunged the Turkish polity into a deep legitimacy crisis and facilitated the win of the AKP as an 'outsider' political party. Both the 'shallow liberals' in Turkey and the neo-liberal elite in the core capitalist countries welcomed the AKP as a reforming force. The support continued despite the fact the AKP leaders had been known for their dislike of democracy and their belief in political Islam as a political project. It was also despite the fact that the party leader, Mr Erdogan, had gone on the records to say that democracy is a train to be abandoned he reaches his station.

It took the AKP leaders less than three years to declare their true colours. In March 2005, the regime's police attacked a women's march on Women's Day. The then prime-minister lambasted the critics of the police violence for being 'European agents'. The reforms that should have been undertaken to comply with the Copenhagen criteria have either slowed down or suspended. Yet, the neo-liberal elite in Europe and beyond continued to sing praise for the AKP government's reforms.

I have documented the AKP's lack of commitment to reforms in a study on [policy entrepreneurship versus policy opportunism](#), published in 2008. I have also elaborated on why the [constitutional draft of 2007](#) would not deliver democracy in Turkey. Yet the shallow liberals in Turkey and the neo-liberal elites elsewhere remained united in their support for an emerging dictatorship. The appeasement, predicated on the argument that Turkey is a strategic partner and role model for the Middle East, continued despite the violent crackdown on *Gezi Protests* in the summer of 2013 and the large scale corruption scandals that came into the open in December 2013. It was also despite mounting evidence that Turkey has been supporting and collaborating with terrorist *Jihadi* organisations in Syria. As a result, Turkey has slipped down on all major indicators of institutional quality such as rule of law, control of corruption, and voice and accountability.

Emboldened by the Western appeasement, the AKP rulers continued to roll back what remains of democracy and rule of law. In 2015 they have terminated the half-hearted and ill-designed peace process that was supposed to foster a political solution to the Kurdish issue. They have also unleashed a massive military attack on Kurdish towns and cities. Under 24-hour curfews and heavy shelling, civilians were deprived of basic rights and killed; towns and neighbourhoods were destroyed; and more than 500 thousand people were displaced. These violations have been documented in reports by human rights organisations and the [UN Human Rights Commissioner](#).

In the face of these developments, more than two thousand academics decided not to remain silent and issued a statement titled "We will not be a party to this crime!" The declaration called on the government and the security forces to abide by domestic and international law and to allow international observers to monitor the situation on the ground.

After the petition was made public, the signatories (who became known as *Academics for Peace*) were targeted by President Recep Tayyip Erdogan and subsequently turned into objects of hatred and defamation in the media. Some were arrested and kept in prison for over a month. Hundreds have been dismissed from their positions by order of the Council of Higher Education, university administrations and eventually by state of emergency decrees after the coup attempt of 15 July 2016. Dismissed *Academics for Peace* are banned from public service, excluded from the job market by blacklisting their national insurance numbers, and their rights to travel have been violated by revoking their passports. Currently, they are on trials with the charge of "propaganda for a terrorist organization", which carries a prison sentence of up to seven-and-a-half years.

Other targets of the AKP regime have been journalists and human rights defenders. Currently, Turkey has the [highest number of detained journalists](#) (73). This is more than the total in China and Egypt (61); and constitutes more than one-fourth of the total number of detained journalists in the world (272). Furthermore, [ten human rights defenders](#) were detained on Buyukada Island, off the coast of Istanbul, on the grounds that they were complicit in the botched coup. More recently, a long-standing human rights supporter and philanthropist, Osman Kavala, has been detained on similar charges.

The AKP regime has also committed political genocide against elected representatives of the Kurdish people in Turkey. Almost all offices of the Peoples' Democratic Party (HDP) have been either bombed or raided at least once by nationalist thugs or the Turkish police or both. Currently, scores of HDP lawmakers and around 3,000 of its activists are in prison. HDP's co-chairs Figen Yusekdag and Selahattin Demirtas are among them. Almost all municipalities in

the Kurdish region (at least 82 municipalities) have been confiscated by the Turkish state; and their mayors and co-mayors are in prison.

In 2017, the AKP regime has pushed a constitutional amendment amid wide-ranging evidence that the election campaign was one-sided and that voting and vote-counting were marred with irregularities. The constitutional amendments are designed to legalise the *de facto* dictatorial regime. Control of the legislature is ensured in amended article 116, under which the president can decide the timing of the elections. Control of the Constitutional Court is ensured in Article 146. Under this article, all 15 members of the Constitutional Court are either selected or appointed by the president. The president and his party also control the Council of Judges and Prosecutors as they appoint or select more than half of the 13 members. Under amended Article 104, the president also have control over the executive by appointing and firing ministers and senior state executives. Under amended article 119, the president also has full power to declare a state of emergency and martial law.

In addition to these sweeping powers, the president is immune to criminal liability and/or parliamentary scrutiny. Under amended article 105, the president can face impeachment only if the parliament voted with a two-thirds majority. And the initiation of impeachment procedures can happen only if a parliamentary inquiry commission can be established with a three-fifths majority of the Parliament.

Having secured the constitutional amendment, Turkey has entered Syrian territory in January with the aim of dislodging the Kurdish Peoples' Protection Unit (YPG) from Afrin. Turkey's intervention is illegal under international law because Afrin has been a source of stability rather than security threats. Furthermore, Turkey's invasion is a violation of Syria's sovereignty. Finally, the record of the Turkish army in terms of targeting civilians is notorious – as can be seen in the killing of at least 300 and displacing more than half-a-million Kurdish civilians in its own territory.

Turkey has been following an aggressive policy towards EU members too. President Erdogan threatened Greece with re-visiting the Lausanne Treaty that established peace between the two sides. He raised the issue of Muslim minority in Greece and ordered the Turkish navy to engage in provocative actions around Greek islets in the Aegean. Turkey has also sent warships to shadow drilling vessels exploring for oil and gas off the coast of Cyprus.

Neo-liberal reactions and their limitations

True, international and European institutions and governments have made critical noises against the dictatorial drift in Turkey. For example, [a UN report](#) has put on record that Turkish security forces have destroyed Kurdish cities and towns under the pretext of fighting terrorism. In Europe, the [Monitoring Committee](#) of the Parliamentary Assembly of the Council of Europe (PACE) called on 8 March 2017 for Turkey to be put under monitoring, a status reserved for members lacking democracy such as Russia, Azerbaijan and The Ukraine. In March 2017, the [Venice Commission](#) has concluded that the constitutional amendments “would not bring a democratic presidential system based on the separation of powers.” Instead, “it would risk degeneration into an authoritarian presidential system.” The EU commission has suspended EU funds earmarked for convergence reforms. Finally, several central and local governments in Europe (Austria, Denmark, Germany, The Netherlands, Sweden and Switzerland) have

refused permission to Turkish officials wanting to campaign among the diaspora in support of the constitutional amendment.

Yet these steps have not been followed with a principled action plan that would demonstrate that the neo-liberal institutions and government would take risk in the defence of democracy in Turkey. On the contrary, the European Commission has bent backward to appease Turkey by dangling the carrot of an 'upgraded' customs union with Turkey. The European Court of Human Rights has handed down a series of rulings that gave the Turkish government and courts a green light to do what they are doing. It rejected applications for emergency stay of execution made by Kurdish citizens of Turkey when the latter were bombed to death by their own government; ruled that the detention of two dismissed academics on the 75th day of their hunger strike did not pose a health and safety risk, and sat on applications by detained HDP leaders. European governments have outbid each other to sign arms deals with the dictatorial regime. The UK government has been in the vanguard of the race for dirty deals, followed by Germany, Italy and France.

What is to be done?

Appeasement of the Turkish rulers since the Ottoman Empire have only led to repeated catastrophes, including the Armenian genocide, violent suppression of several Kurdish revolts, pogroms against non-Muslim communities, and more than four decades of state-orchestrated violence against the Kurds and their representatives.

With this history in mind, it is time that the European institutions and governments reckon with the risks of having a dictatorial regime at the gates of Europe. This is necessary not only to give democracy and rule of law chance in Turkey; but also to stem the rise of authoritarian regime inside the European Union. The list of required actions is long, but its length is a result of cumulative failures. The European governments and institutions would be well-advised to:

1. Take legal and political actions against the violations of international norms by the Turkish government;
2. Declare the ongoing state of emergency as unlawful;
3. Call on Turkey to seek a peaceful resolution of the Kurdish issue;
4. Name and shame national governments or business organisations in Europe and beyond that sign arms/investment deals that jeopardise peace and justice in Turkey;
5. Declare the purges of academics without due process and the ongoing trials as unlawful;
6. Recognize the fact that the scale of the attack against academics in Turkey constitutes the most worrying emergency after the purges under the Nazi regime;
7. Fund and call on higher education institutions to make special arrangements for enabling academics in exile to continue with their research and teaching activities; and
8. Call on European and North American governments to make provisions for a **special immigration status** for migrant academics in Europe whose passports are revoked by the Turkish government and/or those who cannot renew their visas because of the risks involved in travelling to Turkey for visa applications.
9. Call on the Turkish government to release all political detainees and stop the prison uniform project immediately.

These demands are made with the knowledge that, currently, Europe is ruled by a political elite that do not show a credible commitment to human rights, democracy, and accountability as basic international norms. They will change tack only if the European public exert sufficient pressure and force their representatives to take a stance against authoritarianism in Turkey and beyond. We may be enjoying relative freedom in Europe, but I truly believe that the dictatorial regime in Turkey poses a serious threat for ordinary Europeans on a daily basis. This is because, if unchallenged, the dictatorial regime in Turkey will embolden the authoritarian politicians in Europe and its destabilising effects will spill over into Europe.

That Turkey could be a source of instability and insecurity in the region was evident since its intervention in Cyprus in 1974. The occupation of Northern Cyprus not only reinforced the divisions on the Island, but also demonstrated that the Turkish ruling elite has an expansionist appetite. Currently, this appetite is evident in Syria where Turkey is carving Syrian territory and attacking secular Kurdish forces who have been in the vanguard of the war against Jihadi terrorism.

Now that we have a multi-polar world system and weaker international organisations, 'regional powers' such as Turkey are flexing their muscles that they had built with US and European arms. There is ample evidence since the start of the Syrian crisis in 2011 to demonstrate that the neo-Ottomanist Turkish foreign and military policy has become a source of threat for peace in the region and beyond.